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*Attorneys for Defendants*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TOM ARMA, TOM ARMA STUDIO, INC. &  
TOM ARMA COSTUMES, INC.,

Plaintiffs,

V.

BUYSEASONS, INC., BUYCOSTUMES &  
JALEM GETZ,

Defendants.

Case No. 07-CV-10967 (RWS)

**DEFENDANTS' NOTICE**  
**OF MOTION TO DISMISS**  
**AMENDED COMPLAINT**  
**OR TRANSFER VENUE**

TO: Edward C. Greenberg  
EDWARD C. GREENBERG, P.C.  
100 Park Avenue, 33rd Floor  
New York, New York 10017

*Attorney for the Plaintiffs*

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 12(b)(2), (b)(3) and (b)(6), and 28 U.S.C. §§ 1404 and 1406, and upon the annexed Affidavit of Frank W. DiCastrì, Esq., sworn to on January 22, 2008, the exhibits thereto, the accompanying Memorandum of

Law, and the Affidavit of Defendant Jalem Getz, and the exhibit thereto, Defendants Buyseasons, Inc. and Jalem Getz (“Defendants”)<sup>1</sup> will move this Court, before the Honorable Robert W. Sweet, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York, on Wednesday, February 13 at 12:00 p.m., for an Order dismissing the case against Defendant Jalem Getz for lack of personal jurisdiction and/or dismissing the case as to all Defendants for improper venue, or in the alternative transferring venue of this case to the Eastern District of Wisconsin, or as a second alternative, dismissing counts 1-4 and 8 of the Amended Complaint for failure to state a claim upon which relief can be granted.

Dated: New York, New York  
January 22, 2008

BUYSEASONS, INC. and JALEM GETZ

By: s/ Yonaton Aronoff

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<sup>1</sup> “Buycostumes” is improperly named as a defendant in this case. It is not a separate legal entity, but merely the brand name for Buyseasons, Inc.’s web site, [www.buycostumes.com](http://www.buycostumes.com).